

going to be a nightmare for his town. Billy Rowles started making calls, and he said: This is not going to stand. We are going to have justice in Jasper County. We are going to have justice from what I am hearing over the phone on Sunday morning. And because of Billy Rowles' leadership, justice is on its way.

The mayor of Jasper is R.C. Horn. He was right there on the phone talking to Pastor Lyons, making calls to all of the clergy in Jasper, TX, that Sunday morning, setting the tone for what would be the message: That this community is not a bad community and I want every one of you in your pulpits on Sunday morning to say this is a community of love. Mayor Horn was one of those people who started the healing process.

Guy James Gray, the district attorney of Jasper County, was not going to let anything slip by. He was going to make sure the people who perpetrated this heinous crime would come to justice. Of the three people who have been accused, thanks to the good work of Guy James Gray, one has been convicted.

And there is Walter Diggles, the executive director of the Deep East Texas Council of Governments, always there behind the scenes, trying to help in this first week when all of the attention was focused on Jasper, TX. Jasper, TX, had never had the attention of the world focused on it.

But because of Walter Diggles, Billy Rowles, and Guy James Gray and Mayor Horn and the James Byrd, Jr. family, these people were able to withstand all the television cameras and all the people who came from outside to give them advice they did not really need because they knew what was the right thing to do. They knew that to keep their community together they were going to have to talk about love, not hate. They did not need anybody coming in from outside to tell them that because they were speaking from the heart. They didn't have focus groups and they didn't have advisers and psychiatrists. They did not need organizers and spinmeisters because they were doing it from the heart. And they have created a model that every community will follow if it wants to keep a community together after a terrible tragedy.

I want to add one more to this list because I have never seen anything like what happened in the trial of the first of those accused of this murder. There you saw the father of the accused, named Ronald King, sitting in the courtroom every day, absolutely devastated by what his son was accused of doing. This father, who adopted this boy to give him a chance in life, sat in that courtroom in support of his son, but devastated at what he was hearing in the courtroom. Mr. King came out of that courthouse every day, and he said: I don't blame the Byrd family for any bad feelings that they would have, and I apologize to the Byrd family. I sup-

port my son and I love my son and I always will, Mr. King said, but he said I understand how James Byrd, Sr. and his family feel and my heart goes out to them.

James Byrd, Sr. reached back to Ronald King and he said: I understand your pain. This is not your fault, and we will be strong together.

Ronald King is a hero, too, because what Pastor Lyons and the city of Jasper and all of those I have mentioned have done for our country is to show us that the spiritual community can make a difference by preaching love when there is a lot of opportunity for hate, and how that divine love can keep a community together, can make us remember our strengths in this country, and not dwell on the weaknesses.

I applaud Jasper, TX, and these leaders and Pastor Lyons, whom we have heard today; James Byrd, Sr. and his family; and Ronald King, for showing us that this is a great country and we are going to take a terrible tragedy and we are going to make this country stronger, as I believe it is today, because of a very small group of people who didn't need national advisers to tell them what was right. In fact, they have shown us what is right about our country.

Thank you, Mr. President.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### GUIDANCE FOR THE DESIGNATION OF EMERGENCIES AS A PART OF THE BUDGET PROCESS—Motion to Proceed

##### CLOTURE MOTION

The PRESIDING OFFICER. There will now be 1 hour for debate prior to cloture vote on the motion to proceed. The time will be equally divided between the two leaders.

The Senator from Michigan.

Mr. ABRAHAM. Mr. President, I yield myself such time as I may need to make an initial statement. Then we will have speakers on our side and work with the Democratic side to work out the remainder of the time.

Today is the 73rd day since we began the process of trying to move forward with a Social Security lockbox. I think, from every indication, we finally will begin to make some progress this morning. I hope this will be a rapid process from this point forward, that things will not be delayed much longer, and we can quickly come to some type of agreement for orderly consideration of this proposal.

It is vitally important we not delay any longer. Since we introduced this amendment on April 20, the following has taken place: \$22.2 billion more of the Social Security surplus or almost 20 percent of this year's surplus has

been put in danger of being raided. The House voted 416 to 12 to pass their own version of a lockbox, a version that we could not consider in this body. The President himself has endorsed the idea of a lockbox and stated that Social Security taxes should be saved for Social Security. Yesterday, the Democratic leader indicated the Democrats would not block this motion to proceed. So I see this as a positive.

What I have to say is very simple. It is clear that Americans, regardless of where they might live, believe their Social Security dollars ought to be used for Social Security. I cannot imagine there is a Member of the Senate who does not hear that message when talking to seniors in their States or, for that matter, when talking to anyone who is paying payroll taxes. The American people are frustrated when they hear that money they send here for Social Security is being spent on other programs. To some extent, this was justified during the period in which we were running budget deficits. But today we are not. Today we are running surpluses. The latest news is good news. It seems to me it even further justifies creating a lockbox to make sure none of these Social Security dollars are any longer spent on anything except Social Security. The only way to do it, in my view, is to pass legislation such as S. 557, such as the proposal that will be before us today.

So I ask my colleagues to not only give us the chance to move forward on this legislation but to work together to craft a proposal as soon as we possibly can so we can be sure these Social Security dollars do not get spent on other programs. It is a very attractive thing, to talk of new programs, of expanding existing programs, and so on, because today we are in a period of economic prosperity and we are running surpluses. But we should take this opportunity, in my view, to at least fence off the Social Security surplus so it cannot be used for other programs. I am hopeful today we can take an important step toward that end so I can go back to Michigan and tell the people in my State their Social Security payroll tax dollars are going to be protected. That is what I want to do. I suspect that is what a lot of other Members of the Chamber want to do.

I am hopeful that after today, once we get through the recess period, we will move expeditiously to finish the job. Social Security dollars ought to be spent on Social Security. We should move as quickly as possible to make that the case. So I am very optimistic, if we are successful with the cloture vote today, we can move in that direction.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Michigan.

Mr. ABRAHAM. Mr. President, I yield such time as he may need to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I thank the Senator from Michigan for his outstanding leadership on this issue.

Today the Senate will vote for the fifth time to stop filibusters on legislation to protect Social Security trust funds. It is time for us to stop, to end the delay. It is time for us to align ourselves with the American people who overwhelmingly want us to protect the money they put into the Social Security trust fund and to reserve it for Social Security payments. We should pass this bill so protecting Social Security will be the law of the land. It is time to build a tough law, a firewall if you will, between politicians' desires to spend and the Social Security trust fund.

There is no addiction more pervasive in this city than the spending of money. It is a tough habit to break, but we are in a position to do so. We are in a position to say we can manage our affairs without this money; let us make a commitment forever to break this habit of spending the Social Security trust funds.

President Clinton's proposed budget in January would have spent \$158 billion in Social Security surplus over the next 5 years out of the trust fund, but, thank goodness, this last week President Clinton announced that he does not want to do that. That concept is no longer his plan. Instead of spending that \$158 billion over 5 years in other projects, he said he wants to reserve it for Social Security—every penny for Social Security. "Social Security taxes should be saved for Social Security, period."

What a tremendous concept. It is one which we have been working on and we have been working to pass. The President has announced his support for it. It is a general concept which the House of Representatives has supported. In its recent vote a couple weeks ago, the House voted 416-12.

We look for bipartisan things to do in this city, things that unite us instead of divide us, things that mobilize the American people, things that find common objectives and common ground. Here is an item the American people overwhelmingly endorse. Here is an item on which the House of Representatives really reflects the American people, 416-12. That is an overwhelming vote. And the President of the United States endorses the lockbox.

What is interesting is that the President's endorsement is of the lockbox. He just did not say we should not spend Social Security as a general concept or a general idea or a principle by which we operate Government. When we talk about a lockbox, we are talking about institutionalizing the prohibition, not just saying this is something we hope to do in future years. By saying we want to build a lockbox, we have to build a structure for protecting Social Security, and that is something the President has said he wants—a struc-

ture, a lockbox, something that keeps us from making these expenditures.

For the past 6 months, this Congress has been devoted to protecting all the Social Security surplus. In January, congressional Republicans began working to ensure that Congress would protect every penny of the surplus. In March, Senator DOMENICI and I introduced S. 502, called the Protect Social Security Benefits Act, which would have instituted a point of order preventing Congress from spending any Social Security dollars for non-Social Security purposes.

What does a point of order mean? A point of order means that if there is a point of order and someone tries to do it, the Chair, the Presiding Officer, can say it is out of order. Most Americans have been part of some kind of meeting somewhere when someone brought something up that was out of order. The gavel goes down, and the person presiding over the meeting says: We are not going to discuss that; that is not a part of what we do. There is a point of order against it. It is out of order, and you move on to something else.

That is the way we propose to treat proposals that will spend the Social Security surplus. We will simply say: We don't do that; it is against our rules; it is out of order, we will move on to something else. That was S. 502.

Then in April, together with Senator DOMENICI, the Senate passed a budget resolution that did not spend any of the Social Security surpluses for the next decade. Included in the resolution was language endorsing the idea of locking away the Social Security surpluses, sort of a rules of the Senate lockbox but not a statutory lockbox. A statutory lockbox, of course, would bind the House, the Senate, and the President. This language passed the Senate with unanimous approval.

Also in April, Senators ABRAHAM, DOMENICI, and I offered the Social Security lockbox amendment which would have added executive responsibilities to the congressional requirement to protect the Social Security surpluses. By "executive responsibilities," we were really saying the President had to submit a budget that did not invade the Social Security surplus as part of the President's plan.

The Senate has voted on the Abraham-Domenici-Ashcroft plan three times so far, and I believe we will agree to the motion to proceed today. But until today, the Senate has filibustered, has said we will not go there. Frankly, the President of the United States wants to go there, the American people want to go there. The President had the courage to reverse his position, first saying, "I want to spend some of that money," then saying, "No, we should reserve every cent for Social Security, period."

On May 26, the House of Representatives, reflecting, I believe, the people of America—and that is really what we are supposed to do in many respects;

that is why we are sent here—overwhelmingly passed H.R. 1259, Congressman HERGER's measure to protect the surpluses. The vote in that case, as I have already mentioned, was 416-12. That means for every 100 votes in favor of the measure, there were only 3 votes against the measure. Mr. President, 100 to 3 is a pretty strong margin. That is a bipartisan consensus. This reflects the will of the people.

On June 10, Democrats in the Senate blocked the Herger measure. They voted against moving even to consider it.

It is time we stop this kind of parliamentary maneuver. We all know what the will of the American people is. We know what the clear statement of the President of the United States is. We know what we have done on five previous occasions, refusing to discuss it. Today we should vote to move forward on this issue.

The lockbox will accomplish an important goal: Protect Social Security taxes. It will reserve those taxes for Social Security, and Social Security alone, so that when someday those who need Social Security want to call on this Government for the payment of their benefit, the Government will be stronger, having less debt, having more discipline, having a greater capacity to meet its obligations and to honor the commitments made under Social Security.

Those who say they want to protect Social Security should join us in our efforts to save every dime—no, let me correct that—every penny, every cent of this money for Social Security's future beneficiaries. This lockbox is a way to make this happen.

Congress has been moving to create a Social Security lockbox this entire year. President Clinton has now stated he agrees with us, and I welcome the support of the President and Senate Democrats in finishing the Nation's business in supporting the toughest possible lockbox measure, one that protects not 20 percent, not 40 percent, not 60 percent, not 80 percent, not 99 percent, but 100 percent of the Social Security surpluses, protects them so they are available to meet the responsibilities of the Social Security system.

Mr. President, I yield the floor and reserve the remainder of the time of those in support of the motion.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, I yield 5 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 5 minutes.

Mr. DORGAN. Mr. President, I do not oppose the motion to proceed. I expect the Senate will perhaps vote unanimously to proceed on this issue, but I do want to give some historic perspective to this issue of a lockbox.

I proposed a lockbox amendment in 1983. I offered an amendment the day

when the Ways and Means Committee passed the Social Security reform package in 1983. I said: If we do not put this extra Social Security money away, it will be used as part of the operating budget and it will not be saved. My amendment lost in the Ways and Means Committee in 1983. So this is not a new idea.

One of the interesting things about this debate is, it was not too many years ago that we debated a constitutional amendment to balance the budget in the Senate. I voted against that, and the constitutional amendment lost by one vote. I went through some very interesting times politically back home and across the country because I cast a vote that defeated the constitutional amendment to balance the budget.

One of the points I continued to make in the Senate as we debated that—and I was accused of talking about gimmicks and using gimmicks at that point—was the constitutional amendment to balance the budget was written in a way that said all revenue that comes into the Federal Government shall be considered revenue for the purposes of the budget. There was no distinction between Social Security moneys and other moneys; it is all operating budget revenue. To the extent we require a balanced budget, it means we can use the Social Security money as ordinary revenue and then we can claim we balanced the budget. I said that is writing in the Constitution the invitation to continue doing what we have been doing, which is looting Social Security.

What I heard in response was no. There were three stages of denial:

First, we deny we are looting Social Security. That was the first stage of denial.

The second was: Well, even though we deny it, if, in fact, we are doing it, we promise to quit.

And the third stage of denial was: We insist we are not doing it, but if we are doing it, we promise to quit. And if we can't quit it, we will at least taper off.

Those were the three stages of denial in the Senate.

Because those of us who said, we will not write into the Constitution an amendment that permits forever the use of Social Security trust funds as part of the operating budget, we were told: Well, would it be all right if we said we will keep using the Social Security trust funds for the next 12 years? I said: No, that would not be all right. So that was the debate back a few years ago.

Now we come to a debate today, and the folks who then called our position on Social Security revenues a gimmick are now proposing a lockbox. I say, I think we should have a lockbox. But I do not think you ought to do a lockbox in isolation. I think you should have a lockbox with respect to the Social Security revenues so they cannot be used for ordinary operating revenue. That money is taken from workers' pay-

checks. It is called Social Security dedicated taxes. It goes into a dedicated fund and ought not be available under any circumstances for any other purposes. That is the point we made on the constitutional amendment to balance the budget.

I have some charts here, that I will not use, that describe what was told to us during that debate: Gee, you're standing up talking about gimmicks. Of course you have to use the Social Security money as part of the regular budget in order to balance the budget. You can't balance the budget without using Social Security money.

History, of course, shows that was nonsense. But here we are, and the question is the lockbox. We ought to have a lockbox. We ought to do several things at the same time, however. Because I worry. I see this week Reuters has a press story: "How Republicans Propose \$1 trillion in tax cuts." If you do a lockbox on Social Security revenues only and then say, all right, now we have locked away Social Security revenues only, and we propose \$1 trillion in tax cuts, the question in two areas is: What have you done to extend the life of Social Security? And what have you done in this fiscal policy to extend the life of Medicare?

Unfortunately, the answer in both cases could be, you have done nothing to save for Medicare; and while you might have given \$1 trillion in tax cuts, you may have done nothing to extend, even by 1 year, the Social Security program.

So let us do a couple of things. Let us do—together—a lockbox. I support that. I was ridiculed for it back in the constitutional amendment debate, but I have always supported it. I supported it going back to 1983 when I offered the amendment to do it in the House Ways and Means Committee. But let us not just do the lockbox. Let's do the lockbox the right way. Secondly, let us make sure that some of the additional revenue that is available extends the life of Medicare and extends the life of Social Security. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. This would provide a guarantee that the revenue stream for Social Security is available only for Social Security; that is, the tax money that is available for it goes only into the Social Security trust fund and can be used only for that purpose.

But it would do two other things as well. It would say, let us use some additional resources not just for a \$1 trillion tax cut but also to extend the life of Social Security and the life of Medicare. Doing both of these things, I think, will give the American people the reassurance that both of these programs, which have been so important in the lives of so many Americans in this country, will be available for many years to come.

I do not think, as I said when I started, there will be a debate here on

whether we should proceed. Let's proceed. I expect the motion to proceed will carry, perhaps unanimously. We will have a debate on the lockbox issue.

But my point is, let us not debate that in isolation. Let us debate it with the eye on this ball: That we need to extend the life of Social Security and extend the life of Medicare, even as we do what we should have done long ago; and that is, make certain that no Social Security revenues are used for any purpose other than the solvency of the Social Security system itself. That is what workers expect. That is the basis on which money is taken from their paychecks and put into a dedicated tax fund. That is what senior citizens expect from this program, which was a solemn promise made to them many decades ago.

I thank the Senator from New Jersey for the time. I look forward to the debate following the motion to proceed.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from New Jersey.

Mr. LAUTENBERG. I yield myself such time as is necessary to make some remarks.

Mr. President, I say thank you to the distinguished Senator from North Dakota because he kind of hit the nail on the head. Let's get on with this debate. That is the question. And whether or not we disguise it in terms of votes to the public at large—and cloture votes and things of that nature may seem rather arcane to the public—the main thing is to get on with the discussion.

I am supporting the cloture vote on the motion to proceed to S. 557, which is the legislation to reform the budget rules governing emergency spending. I am going to support cloture on the motion to move ahead with this—we call it a motion to proceed—to get on with the debate, not only because I support the underlying legislation, which amends the rules governing emergency spending but, more importantly, because like most, if not all, Democrats, I strongly support the establishment of a Social Security and Medicare lockbox. It is time for a real debate to occur on a lockbox. And I look forward to that debate.

Democrats have long argued that protecting Social Security and Medicare should be Congress' top priority. We believe that strongly. We simply must prepare our country for the impending retirement of the baby boomers. We ought to do it now, particularly since we are going through this incredible prosperity, a prosperity never before seen in this country.

To help achieve that goal, Senator CONRAD and I proposed our own version of a Social Security and Medicare lockbox. It is a lockbox that reserves the surpluses for both Social Security and Medicare—reserves them; you cannot touch them—without creating the threat of what is now proposed, which could be a Government-wide default.

Our lockbox has much stricter enforcement than the weak one that was approved by the House of Representatives.

Early this week, President Clinton also proposed to establish a Social Security and Medicare lockbox. His proposal not only would prevent Congress from spending Social Security surpluses in any year, but it would extend the solvency of the trust fund to the year 2053.

Although all of the details of the President's plan have not been worked out yet, I strongly support his general approach. I am hopeful it can win with bipartisan support. We would like to see it that way.

The distinguished Senator from Michigan, Senator ABRAHAM, and Senator DOMENICI have proposed a different version of a lockbox which has been offered as an amendment to the previous bill S. 557. Unfortunately, their lockbox is seriously openable. In fact, as Treasury Secretary Rubin has written, instead of protecting Social Security benefits, their lockbox actually would threaten benefits. That is because it could trigger a Government-wide default based on factors beyond Congress' control.

Such a default would make it impossible to pay Social Security benefits. They can call it what they will—lockbox, cash drawer, whatever—but it will still impair the possibility, at some point, to pay the Social Security benefits. The issue before the Senate today isn't whether we are for or against the Abraham-Domenici lockbox. It is not whether we are for or against the Democratic lockbox. The issue is whether we should proceed to a debate about lockbox legislation at all. I believe we should. It should be an open debate. Senators should have the right to offer amendments, but we should go ahead and get that debate underway.

In the past, the majority has tried to stifle that debate and to push through their own version of a lockbox without giving the Democrats and the American people an opportunity to present and to consider amendments. We Democrats have rightly resisted that. We cannot be gagged, and we will not be locked out of the legislative process, especially on an issue as important as protecting Social Security.

Having said that, nobody should doubt the commitment of Senate Democrats to support a Social Security and Medicare lockbox. I take a moment here to identify what a lockbox is to represent: a place you can't invade for any other reason except to make sure that Social Security is there for the longest period of time available for those who are paying into this system, the money to pay those benefits is going to be there.

Another major concern of the American public, the elderly public particularly, is Medicare. Will it run out of funds before the 50-year-old is there to have his or her health care protected?

That is what we are debating. We ought not to be talking about process. We ought to be talking about what are the promises that we are trying to fulfill.

One is that Social Security will be there when you get there and you want it and you need it. Two is that Medicare is there to help protect the health of an aging population.

I expect there is going to be a very strong vote on this side of the aisle in support of moving to proceed to that debate. Unfortunately, what we have heard is that the majority will then file cloture on the bill itself. Another explanation. Cloture means to shut down the debate, not permit the Democrats to add amendments, not to permit the American public to hear the full discussion. That is the issue—continuing to block our ability to offer any open, new ideas to their original proposal.

Well, if that is true, it is outrageous. It is the kind of political game that has been played on this floor on this issue from day 1. Apparently the majority isn't as anxious to get a Social Security lockbox as they pretend to be. They just want to force the Democrats to cast votes against cloture, against continuing the debate, against permitting the debate.

Well, Democrats have to oppose cloture, if we are being blocked from offering amendments. That doesn't mean we are being obstructive. It doesn't mean we are filibustering the bill. We just have to protect our rights and the citizens' rights as we see them.

What the Republicans want to do is force us to cast these cloture votes and then claim that we are filibustering the lockbox. It is wrong, and they are aware of it. They want to shut us out of the debate. We represent a significant part of the American public. Whether they voted for us or they didn't, we represent them.

This isn't just playing politics. It is unfair, and it is especially unbecoming of a party that is in the majority and purportedly running Government. They should be spending their time getting legislation passed, not just forcing Democrats to walk the line, to cast votes that they can later misrepresent for political gain.

President Clinton has reached out his hand with a proposal that obviously lays the groundwork for a bipartisan deal. He is known to include Republicans in discussions about things. I serve on the Budget Committee. I am the senior Democrat. This is the third President with whom I have served. I have never seen a President more anxious to discuss his ideas on legislation with the other side than President Clinton.

He said he is willing to compromise on tax cuts. He said he wants to work with the Congress. What is the response from the majority? Partisan politics. You have to ask why. Do they really think it makes any difference whether there are five cloture votes in-

stead of four? It is a mischaracterization. Who is trying to kid whom? This goes beyond petty. It really is unfair and pathetic.

I hope we are going to stop these political games. Then let us sit down on a bipartisan basis and do the work of the people. Let us develop a real lockbox that makes sense to both of us, a consensus view, and one that really protects Social Security and Medicare.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I ask the Senator from Michigan for 5 minutes.

Mr. ABRAHAM. Mr. President, I yield such time as the Senator from Pennsylvania would like.

The PRESIDING OFFICER. Without objection, the Senator from Pennsylvania is recognized for 5 minutes.

Mr. SANTORUM. Mr. President, I have to comment on the statement of the Senator from New Jersey.

One of the more vexing problems we have in political debate in America is who is telling the truth. What I am going to tell you is 180 degrees from what the Senator from New Jersey just said. What he repeatedly said is true is, in fact, not true.

What the Senator from New Jersey said is that the Democrats would not be able to offer amendments on the Social Security lockbox as a result of the cloture votes that were taken on April 22, April 30, and June 15. That is not true.

Let me state that again, emphatically, to the Senator from New Jersey and to the American public: What the Senator from New Jersey just said, which is that Democrats were blocked from offering amendments on the issue of a Social Security lockbox, is not true. So the entire speech we just heard was, in fact, a statement which had no basis in fact. That is true.

The Senator from New Jersey could have opposed cloture and offered all the amendments he wanted on the Social Security lockbox. We could have had hours, days of debate on a Social Security lockbox. We wanted to have those kinds of debates. They refused.

Mr. LAUTENBERG. Will the Senator yield for a question?

Mr. SANTORUM. I am happy to yield for a question.

Mr. LAUTENBERG. Isn't it so that the tree—I don't want to use arcane language; I always try to get away from that so the public understands what we are talking about. Weren't we blocked from amendments by virtue of the fact that the amendment tree was filled by the Republicans?

Mr. SANTORUM. The April 22 vote was a vote on cloture on the first-degree amendment. The tree was not filled. It was a first-degree amendment vote on cloture, No. 1. We wanted a vote on that particular amendment, yes.

After that amendment would have passed or failed, you were then available to offer all the amendments you

wanted on Social Security. You could have offered your own Social Security lockbox. You could have taken the Abraham bill and changed the wording in it, and we could have had a vote on that, but you did not want to do that. You did not want to have that debate. You refused us even getting into a vote. All we wanted to do with these cloture motions was to say: Give us a clean vote on this particular proposal. After that, you are free to amend it. You are free to offer your own; you can do whatever you want. You can offer a Medicare lockbox. You can do whatever you want. Just give us a vote on our proposal and then you are welcome to do whatever else you want. You said emphatically, unanimously, three times: No.

Mr. LAUTENBERG. I ask the Senator, if he will indulge another question, was the tree filled with second-degree amendments?

Mr. SANTORUM. That was not the statement of the Senator from New Jersey. He made the statement that he could not offer amendments. The answer is, he could have offered amendments.

What we wanted was a vote on the Abraham-Domenici bill. After that vote, he was free to amend that proposal. He was free to offer his own proposal. There could have been a full and open debate on Social Security lockbox, after he gave us a vote on our amendment.

I don't think that is an unreasonable thing to ask.

Mr. LAUTENBERG. Well, I thank the Senator from Pennsylvania for the courtesy. But the fact of the matter is that there was an obstruction to us offering amendments until the Republicans were certain that they had their amendment considered in its raw form. Frankly, to me, that was blocking Democrats from having it.

Mr. SANTORUM. All I say to the Senator from New Jersey is that all we asked for is to give us a clean up-or-down vote on our amendment. After that amendment, you could have amended that thing, you could have offered your own, done anything you wanted. All we wanted to make sure of was that we had a clean vote on our amendment to start this debate, and after that, you could have done anything you wanted.

By the way, if you look at the statement you just read into the RECORD, you said exactly the opposite of what I just said. You said you could not have offered amendments when, in fact, you could have. You still had the right to, and you chose not to because you didn't want to enter into this debate.

We see a wonderful willingness on the part of the Democrats now, after the President joined our side in saying we want a lockbox, to open up and debate this and offer amendments, when you had the very same opportunity four times to do the same thing.

I welcome that. I welcome that we are going to have an opportunity to

focus in on what I think is one of the most important things—not just for Social Security but important things for the long-term fiscal future of this country, this government; that is, putting in place a provision that says if you are going to spend more money on new government programs, or even if they are going to spend money on tax cuts, you are not going to spend it on Social Security unless you stand up before this Senate and before the American public and say: We are going to take Social Security dollars. We believe it is more important to do tax cuts. We believe it is more important to do funding for education or funding for defense than it is to provide money for Social Security.

That is the vote we are looking for. That is the vote of accountability that we want every Member of the Senate to have to cast. That is the fiscal discipline, when people have to make that choice, and it is clear to everybody what the choice is. We have lots of points of order and procedural things, but then everybody sort of walks out of the room and spins it their way. In this case, with the lockbox vote, where it says you have to vote on a motion that says we will spend Social Security money for X or Y or Z, you have to tell the American people that you believe that is a higher priority than Social Security.

We have no such vote today. But if we pass a lockbox, then the American public will know what your choices are. There may be a situation where we need to spend Social Security money. Frankly, I can't think of one, but there may be one—an emergency, a true emergency, where our national security is at risk. There may be a situation where we want to spend Social Security dollars, but it has to be voted on. That is the most important thing. That is what the other side never wanted to have happen.

I thank the President for breaking the logjam over there. The House Democrats did a pretty good job; they passed a Social Security lockbox bill. But it was the folks on the other side who stood as the dam to this current that was flowing through the Congress. I thank the President for getting the beavers to work, getting them out of the way and making sure we can have a full, fair, and open debate—as we could have three or four times previous to this. We could have had a full, fair, open debate in the Senate about a very important issue, yes, for Social Security but just as important to the fiscal discipline of the U.S. Government in the future.

I thank the Senator from Michigan and the Senator from New Mexico, Mr. ABRAHAM and Mr. DOMENICI, for their excellent work on this issue.

Mr. DOMENICI. Mr. President, how much time do the Republicans have left?

The PRESIDING OFFICER. Nine minutes 18 seconds are remaining on the Republican side; 12 minutes 12 sec-

onds are remaining on the Democrat side.

Mr. DOMENICI. Will the Senator yield me 4 minutes?

Mr. ABRAHAM. I yield the Senator as much time as he needs.

Mr. DOMENICI. Mr. President, please tell me when I have used 4 minutes.

I say to the President of the United States: Thank you very much, Mr. President. You have agreed with us on one of the most important issues confronting the senior citizens of this Nation. In your budget and your recommendations in the past, during this fiscal year, you suggested that only 62 percent of the Social Security trust fund be saved and put in a trust fund and stay there for senior citizens for their Social Security. We suggested in our budget resolution that anything short of 100 percent was not right. After weeks of debate in this body, without an opportunity to get a vote on an amendment that would have said that and would have locked it tightly in place, the President of the United States announced that there are more resources available because the surpluses are bigger and decided that he agreed with the Republicans that 100 percent of the Social Security trust fund should be set aside for Social Security purposes.

Now the time has come for the Senate to do that. This is not an issue of Medicare. This is an issue of the Social Security trust fund being available for no purpose other than Social Security. In the meantime, it is used to reduce the national debt. That is the program, that is the plan, that is the safest and fairest thing for seniors across this land.

Pretty soon, we are going to find out whether that is really the issue or whether there is another issue, and that other issue is, even if you have done that and set it aside and locked it away, should there be a tax cut? It would appear that for some reason, the President of the United States and maybe a majority of the Democrats in the Senate don't want to let the American people have a refund of the taxes they have overpaid. And now we learn from both auditing or accounting entities, the President's and ours, that that surplus is even bigger than we thought. That is aside from the Social Security trust fund—in addition to it, without touching it.

The issue, then, is what kind of gimmick are we going to use to eat up that surplus so there is no money available to give back to the American people? That is the issue. The issue will be couched as if we should put \$350 billion of this non-Social Security surplus in a Medicare trust fund. But the President's own proposals belie the necessity for that and just give it a birth—you open it up and you can see it for what it is, an effort to deny the American people a tax cut because, lo and behold, the President said we can reform Medicare. We can actually put in place prescription drugs. And what is

the price tag? Let's just agree that the President has a good number—how about that, I say to Senator ABRAHAM—\$46 billion, not \$396 billion; \$46 billion is what he says we need during the next decade to provide prescription drugs, which he deems to be good for the senior citizens of America. He is crossing this land and saying: I am for prescription drugs.

We are for prescription drugs. In fact, we are so pleased that the President has acknowledged exactly that situation that we are almost prepared to say—as soon as we run some numbers—that we can do better than you have done in terms of prescription drugs for senior citizens who need prescription drug assistance.

But let's remember, he says we need \$46 billion. We are going to hear some arguments about the lockbox, saying let's have another lockbox for Medicare and let's take a bunch of the money that the taxpayers ought to get and put it over there in a trust fund under the rubric that it will help get rid of the deficit, that it will bring down the deficit of the United States, the overall debt—even though the three major accounting entities that have testified said it will be the same thing whether you put it in there or not. It has no impact because at some point you have to pay off those IOUs, and that means a tax increase.

Now, this is rather complicated, but the truth of the matter is—listen up, seniors—we are going to provide a prescription drug benefit as good as the President's or better. Let's focus on that. That is what we are going to do. Indeed, we are going to put every nickel—I remind everybody it takes \$120 billion more for the trust fund to get all it is entitled to, according to CBO. We are going to put more than \$1.8 trillion in. We are going to put \$1.9 trillion in that trust fund.

In summary, we are making some headway. It is slow and tedious.

I assume that today all Members on the other side of the aisle are going to vote for cloture on the motion to proceed. I believe that is the case. It will be 100 to nothing, as if they have agreed to a lockbox. Actually, that is a wasted vote, if there are going to be 100. They are just deciding they all want to go home and say: We are for the lockbox also.

Mr. President, I ask unanimous consent that we vitiate the yeas and nays on the lockbox motion to proceed—

Mr. LAUTENBERG. We object.

Mr. DOMENICI. May I finish? I wasn't finished.

Mr. LAUTENBERG. I am sorry. Please continue.

Mr. DOMENICI. May I finish my consent request? I would like to make sure it makes some sense.

I ask unanimous consent that we dispense with that vote and that we proceed to substitute for that a motion as if cloture was before us on the actual lockbox amendment.

Mr. LAUTENBERG. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMENICI. I yield the floor.

If the Senator has a little time later, I would be glad to use another minute. Thank you.

The PRESIDING OFFICER. Who yields time?

The Republicans control 2 minutes 54 seconds. The Democrats have 12 minutes 12 seconds.

The question from the Chair is, Who yields time?

If neither side yields time, the time will be charged equally to both sides.

Mr. ABRAHAM. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be counted to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I yield myself such time as I may use.

Mr. President, we are going through an exercise about what is being characterized by the Democrats and what is being characterized by the Republicans as an imperfect lockbox situation—a lockbox recommendation.

I want to try to get this debate on this subject itself instead of the process. The fact of the matter is that if we try to define what constitutes a lockbox—we heard the Senator from North Dakota earlier talking about his effort to identify a lockbox going back to 1982 or 1983, in that period. Lockbox terminology was used way before it was discussed on this floor. It is a common expression in terms of banking and financial programs.

What we are talking about, very simply, is whether or not we put enough money away to say to the American public, when it is your time to retire—talking to those who now are, let's say, in their twenties, maybe in their teens—Social Security will be there for you when it is your time to use that benefit.

That is the discussion that goes on.

The other program—Medicare, which is directly linked to the Social Security program—health care for the elderly, for seniors, is the biggest worry among our population. People identify it as their concern about being locked out of health care—not knowing what conditions might arise that will absorb all of their savings, all of their resources. With the good science that has been developed over the years, we have had far better health than we thought we might have, looking back some years.

I know that when I was in the Army during World War II, I never dreamed that at this stage of my life I would be hard at work trying to do the things that I do, and feeling pretty good about

it. I am glad to know there is a program out there for those who aren't physically able to deal with life's daily pressures, and when they run into medical problems, health care is going to be there. That is the way it ought to be.

With all of that, and all of the criticism of President Clinton, the fact is that he is the leader in the country who saw us stop the hemorrhaging of incredibly increasing debt that was falling upon not just the present generation but future generations.

I used to hear the cries: We are saddling our children and our grandchildren with debt. Now we want to pay it off. They say: Well, paying off debt, what does it mean? It means an awful lot. The fact of the matter is that it provides the kind of things that families try to provide; and that is security for the future—reserves—so that when you have something you either need or want, you have some means to do it.

That is what we are talking about here. We want to preserve, and we want to increase, the solvency of Medicare to make sure it is there for a longer period of time. We want to extend Medicare to 2025 and have Social Security retirement benefits available until 2053, with a pledge from the White House and from this President to try to reform the process to extend it even further. That is what we are discussing.

Despite the cries and the pleas—"to tell the truth," is what I heard. I don't usually use that kind of terminology, because not telling the truth suggests some kind of a character flaw. The truth in many times is as observed by the person speaking. But the real judgment comes from the others who hear it. The truth of the matter is that we are trying our darndest—each side of the aisle—in this particular construction of how they see us, we being able to provide the kind of security that our people want. We on this side of the aisle think it ought to be done by not only preserving all of the Social Security surpluses but by paying down the debt and increasing reserves available to put into that Social Security trust fund to extend it slightly even further. That is what we want to do.

All of the gimmicks that are used, all of the ploys that the majority has used characteristically to try to stop the Democrats from offering amendments, from making this debate available to the public—that is the way it goes. We have never seen the kind of a period where so many cloture votes are ordered at the same time that a bill is sent up to the desk to be considered. Almost immediately, in so many cases, it is followed by a cloture vote before there is any debate. The cries of a filibuster are hollow cries, because no filibuster has had a chance to get underway. There hasn't been any chance to talk at all. Shut it down. Use the cloture vote technique.

The public shouldn't perhaps be deceived by what they hear about how anxious the Republicans are to get on



with the work of the people when they refuse to allow reasonable debate on the subject. There are ways to do it: Fill up the amendment tree, that stops it; invoke cloture, that stops it; or put in quorum calls, or have majority votes on things that stop the process.

The question is simply, Do we want to extend Social Security solvency? I think that answer has to be yes. Do we want to extend the Medicare solvency? I think that answer has to be yes.

Let the American people decide. When do they decide? They decide in November 2000 whether or not they prefer one method or the other. We ought to be plain spoken about what it is we are trying to do and not shut off the debate and not say that the Democrats could have offered amendments. They couldn't have, not at that time. They could have in due time—after everything was signed, sealed, and delivered. It is a backhanded way of operating.

I hope we will move on to the debate of the lockbox legislation. Let the public hear it. Take the time necessary to have a full airing. Let either side amend it and get on with serving the people's needs.

How much time remains on both sides?

The PRESIDING OFFICER. The Senator has control of 3 minutes 20 seconds; the Republicans have 2 minutes 54 seconds.

Mr. LAUTENBERG. I yield the floor.

Mr. ABRAHAM. Mr. President, I yield myself 1 minute 30 seconds.

We are here today to try to put in motion a process that will save the Social Security trust fund surpluses for Social Security. The Republicans have been trying to simply get a vote on our proposal for over 70 days.

The entire parliamentary effort that has been described has been aimed at simply getting us a chance to have a vote on what was our original amendment to a different bill. The notion that getting cloture on that amendment would somehow stifle opportunities for others to bring amendments is not the way this system works. I think everybody should understand that. Our goal is to get a vote on the amendment we wanted. That is perfectly consistent with what people on all sides always try to do. It was a simple effort.

Let's not get caught up in the parliamentary discussions. The bottom line is we are still trying to create a lockbox for the American people who send payroll taxes to Washington so they can be assured those dollars go to Social Security. That is what we are fighting for. This debate is no more complicated than that.

We have heard claims people want a weaker lockbox, a harder lockbox. Let's go forward with it. Let's pass this motion. Let's vote for cloture today. Give Members a chance to have a vote on our plan. If others want to offer their plans, there will be opportunities for that.

I don't think there should be any absence of clarity as to what we have

been trying to achieve for 73 days, and that is simply to get a vote on a lockbox, which was brought as an amendment by the Republicans. We will still get that vote; we will keep fighting until we do.

I yield the floor.

Mr. LAUTENBERG. I yield back the remaining time.

Mr. ABRAHAM. How much time do we have?

The PRESIDING OFFICER. The Republicans have 1 minute 16 seconds.

Mr. ABRAHAM. I yield that time to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, this is not an issue of what kind of economic game plan we have had for the last 5 or 6 years. We all understand that hard-working Americans are making this economy hum. Investors who have become more enlightened and entrepreneurs who are taking more risks have caused a great American recovery, sustained in a manner we have never expected.

The issue is, when we collect more taxes, and we exceed expectations—in fact, not just by a few hundred million, but actually approaching \$1 trillion—should we wait for the Government to spend it or should we give some of it back to the American taxpayer?

Actually, the Social Security trust fund can be saved. Medicare with prescription drugs can be reformed and fixed so we have prescription drugs, and there is still a large amount of money left over. What should we do with it? Invent some way to set it aside? If we do that, it will be spent. Let's give some of it back to the American people. That is why the lockbox is important. It says what is left over does not belong to Social Security; it belongs to the American people. Use it prudently, Congress, and give back some of it.

It appears there is a war with that side of the aisle against giving anything back to the American people from these kinds of surpluses. I believe we will win that war. We relish it. We are ready to go. That will be the issue the next couple of months.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. All time has expired. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 89, S. 557, a bill to provide guidance for the designation of emergencies as a part of the budget process:

Trent Lott, Spencer Abraham, Jim Inhofe, Kay Bailey Hutchison, Pete Domenici, Paul Coverdell, Wayne Allard, Jesse Helms, Larry E. Craig, Mike Crapo, Chuck Hagel, Mike DeWine, Michael H. Enzi, Judd Gregg, Tim Hutchinson, and Craig Thomas.

#### CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call is waived.

#### VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 557, a bill to provide guidance for the designation of emergencies as part of the budget process, shall be brought to a close? The yeas and nays are required under the rules. The clerk will call the roll.

The legislative assistant called the roll.

The PRESIDING OFFICER (Mr. GREGG). Are there any other Senators in the Chamber desiring to vote?

The result was announced— yeas 99, nays 1, as follows:

[Rollcall Vote No. 193 Leg.]

#### YEAS—99

Abraham	Enzi	Lott
Akaka	Feingold	Lugar
Allard	Feinstein	Mack
Ashcroft	Fitzgerald	McCain
Baucus	Frist	McConnell
Bayh	Gorton	Mikulski
Bennett	Graham	Moynihan
Biden	Gramm	Murkowski
Bingaman	Grams	Murray
Bond	Grassley	Nickles
Boxer	Gregg	Reed
Breaux	Hagel	Reid
Brownback	Harkin	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Rockefeller
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden

The PRESIDING OFFICER. On this vote, the yeas are 99, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

#### GUIDANCE FOR THE DESIGNATION OF EMERGENCIES AS A PART OF THE BUDGET PROCESS—RESUMED

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 557) to provide guidance for the designation of emergencies as a part of the budget process.

Pending:

Lott (for Abraham) amendment No. 254, to preserve and protect the surpluses of the social security trust funds by reaffirming the exclusion of receipts and disbursement from the budget, by setting a limit on the debt held by the public, and by amending the Congressional Budget Act of 1974 to provide a process to reduce the limit on the debt held by the public.

Abraham Amendment No. 255 (to Amendment No. 254), in the nature of a substitute.